

Report Date: October 23, 2014

United States District Court

for the

Eastern District of WashingtonFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**Oct 23, 2014**

SEAN F. McAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Nicole Lee Sunny Cloud

Case Number: 0980 2:12CR02070-EFS-1

Address of Offender: [REDACTED]

Name of Sentencing Judicial Officer: The Honorable Edward F. Shea, Senior U.S. District Judge

Date of Original Sentence: August 16, 2010

Original Offense: Conspiracy to Possess with Intent to Distribute, and to Distribute Methamphetamine,
21 U.S.C. §§ 846 and 841(a)(1) and (b)(1)(B)Original Sentence: Prison 28 months; Type of Supervision: Supervised Release
TSR - 48 months

Asst. U.S. Attorney: Alison L. Gregoire

Date Supervision Commenced: August 23, 2014

Defense Attorney: Alison Klare Guernsey

Date Supervision Expires: March 19, 2016

PETITIONING THE COURT**To issue a warrant.**

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number Nature of Noncompliance

- 1 **Special Condition # 17:** You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: Ms. Cloud used methamphetamine and heroin on or before September 5, 2014.

On September 5, 2014, Ms. Cloud admitted to her probation officer of having consumed methamphetamine and heroin the day before.

- 2 **Special Condition # 16:** You shall undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare. You shall contribute to the cost of treatment according to your ability to pay. You shall allow full reciprocal disclosure between the supervising officer and treatment provider.

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Supporting Evidence: Ms. Cloud aborted Sundown M Ranch inpatient drug and alcohol treatment program on September 17, 2014.

On September 5, 2014, Ms. Cloud reported to the probation office and admitted to having used methamphetamine and heroin the previous day. She agreed to enter Sundown M Ranch inpatient drug and alcohol program. She entered the program on September 5, 2014, but then aborted the treatment program against staff recommendation on September 17, 2014.

- 3 **Standard Condition # 3:** The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.

Supporting Evidence: Ms. Cloud failed to report as directed by her probation officer to the U.S. Probation Office on October 9, 2014.

On October 8, 2014, Ms. Cloud was directed to report to the probation office on October 9, 2014, to sign a release of information so that she can be referred to Northwest Indian Treatment Center. Ms. Cloud failed to report as directed.

- 4 **Mandatory Condition # 6:** If this judgment imposes a fine or a restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine or restitution that remains unpaid at the commencement of the term of supervised release in accordance with the schedule of payments set forth in the criminal monetary penalties sheet of this judgment.

Supporting Evidence: Ms. Cloud has failed to make payment towards her financial obligation as directed as of October 22, 2014.

Ms. Cloud is scheduled to make \$25 monthly payments. She was instructed report to the probation office and make a payment on October 9, 2014, but failed to comply.

- 5 **Special Condition # 17:** You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: Ms. Cloud failed to submit to random urinalysis testing at Merit Resource Services on October 8, 14, and 21, 2014.

- 6 **Special Condition # 17:** You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: Ms. Cloud used methamphetamine, marijuana and heroin on October 20, 2014.

On October 21, 2014, a home visit was conducted at Ms. Cloud's place of residence. While speaking with Ms. Cloud, she did not appear to be her normal self and she was questioned regarding illegal drug use. The defendant reported she used methamphetamine, marijuana, and heroin the previous day, October 20, 2014.

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The U.S. Probation Office respectfully recommends the Court issue a warrant for the arrest of the defendant to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: October 23, 2014

s/Jose Zepeda

Jose Zepeda
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
☒ The Issuance of a Warrant
☐ The Issuance of a Summons
☐ Other



Signature of Judicial Officer

October 23, 2014

Date